

REMARKS

Applicant has amended claims 1, 34, and 67 and has added new claims 100-111. In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

The Office has rejected claims 1-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,704,045 to King et al (King) in view of US Patent No. 6,119,093 to Walker et al (Walker) in view of US Patent No. 6,604,080 to Kern (Kern). The Office acknowledges that neither King nor Walker disclose: identifying in the computer system at least one of a state statute, regulation and rule relating to a number of types of lines of insurance which can be associated with the insurance account; determining in the computer system the number of types of lines of insurance which can be associated with the insurance account based on the identified at least one of a state statute, regulation and rule”; and “which is in the determined number of types of lines of insurance which can be associated with the insurance account in the computer system. The Office asserts Kern suggests: identifying in the computer system at least one of a state statute, regulation and rule relating to a number of types of lines of insurance which can be associated with the insurance account” (See Kern, Col.1, lines 15-60); determining in the computer system the number of types of lines of insurance which can be associated with the insurance account based on the identified at least one of a state statute, regulation and rule (See Kern, Col.2, lines 10-67”); and “which is in the determined number of types of lines of insurance which can be associated with the insurance account in the computer system (See Kern, Col.21, lines 53-67 to Col.22, line 21). Accordingly, the Office asserts it would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Kern within the collective teachings of King and Walker with the motivation of providing full statutory coverage with quality carriers so that the states would allow HMO’s or PPO’s to have a greater saving (See Kern, Col.19, lines 50-53).

King, Walker, and Kern, alone or in combination, do not disclose or suggest, “identifying in the computer system at least one of a state statute, regulation and rule relating to the at least one line of insurance associated with the insurance account . . . performing at least one insolvency related service in connection with said insurance solvency based on the identified at least one of a state statute, regulation and rule and the at least one line of insurance associated with the insurance account” as recited in claims 1 and 34 or “an

identification system that identifies in the computer system at least one of a state statute, regulation and rule relating to the at least one line of insurance associated with the insurance account . . . an insolvency processing system that performs at least one insolvency related service in connection with said insurance solvency based on the identified at least one of a state statute, regulation and rule and the at least one line of insurance associated with the insurance account" as recited in claim 67.

As the Office has acknowledged, King and Walker do not disclose identifying in a computer system at least one state statute, regulation and rule relating to the state statute, regulation and rule relating to the at least one line of insurance associated with the insurance account. Since King and Walker do not disclose identifying in a computer system the state statute, regulation and/or rule relating to the state statute, regulation and rule relating to the at least one line of insurance, they also can not disclose performing any insolvency related service in connection with an insurance solvency based on the identified state statute, regulation and/or rule and the at least one line of insurance associated with the insurance account. The Office's attention is respectfully directed to the abstract of Kern which states that it is directed to, "An automated system and method of computing rates to be charged for insurance coverage equivalent to that provided by a standard workman's policy." Accordingly, Kern is directed to rate setting, not performing any type of insolvency related service in connection with an insurance solvency based on the identified state statute, regulation or rule. As a result, even if King and Walker are taken in view of Kern as suggested by the Office, they would only disclose how to set rates as disclosed in Kern for the syndication system of Walker and the risk transfer and diversification system of King and prior to an insurance insolvency.

As disclosed at page 45, lines 10-19 in the above-identified patent application, "In one embodiment, for example as represented in 420 in Figure 20, the organization of funds, associated accounts, and the like maybe specified in accordance with state statutes, rules, and regulations. This organization may be established, for example, in connection with processing performed at step 102. As state particular information may change, such as a new statute, or an amendment to an existing statute, and the like, the organization and management of funds may change. Additionally, any changes or additional rules, and the like that may affects calculations, for example, in connection with unearned premiums, and assessments, are reflected in the system 10. In other words, the design of the system 10 provides for customization in accordance with particular rules. Additionally, it provides a

flexible system for easy updating to reflect such additions and amendments." Accordingly, in an insurance insolvency the present invention helps to simplify and ensure that the lines of insurance with each of the insurance accounts are properly processed and serviced in accordance with a state statute, rule, and/or regulation.

Therefore, in view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw the rejection of claims 1, 34, and 67. Since claims 2-33 depend from and contain the limitations of claim 1, claims 35-66 depend from and contain the limitations of claim 34, and claims 68-99 depend from and contain the limitations of claim 67, they are distinguishable over the cited references and are patentable in the same manner as claims 1, 34, and 67.

Applicant has also added new dependent claims 100-111 which are believed to be distinguishable over the cited references and in condition for allowance. A notice to this effect is respectfully requested.

In view of all of the foregoing, applicant submits that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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Gunnar Leinberg
Gunnar G. Leinberg
Registration No. 35,584

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1014
Facsimile: (585) 263-1600